

DESOTO COUNTY BOARD OF SUPERVISORS
BOARD MEETING MINUTES

JESSIE L. MEDLIN, PRESIDENT, PRESIDING

October 13, 1999

A. CALL TO ORDER

The October 13, 1999, meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Jessie L. Medlin of DeSoto County.

Chief Deputy Charles Brown of the DeSoto County Sheriff’s Office was present and did open the DeSoto County Board of Supervisors meeting in a regular session to hear any and all business to come before the Board. The following were present:

Supervisor Jessie Medlin-----District 1
Supervisor Eugene C. Thach-----District 2
Supervisor Jimmy James-----District 3
Supervisor John Caldwell-----District 4
Supervisor Tommy Lewis-----District 5
W. E. “Sluggo” Davis-----Chancery Clerk
David Armstrong-----County Administrator
James Albert Riley-----DeSoto County Sheriff
William Austin-----Board Attorney

B. INVOCATION

The invocation was presented by Supervisor Eugene Thach.

C. COURTHOUSE RENOVATION BONDS

Demery Grubbs of Holley, Grubbs, Mitcham & Phillips, appeared before the Board of Supervisors to open bids on the Court House Renovation. The Bids were opened and read as follows:

Name of Bidder	Interest Rate
NBC Capital Markets	5.327%
JC Bradford & Company	5.3535%
Duncan Williams Inc.	5.282012%
Morgan Keegan	5.335098%
First Tennessee Capital Markets	5.206998%

Supervisor Eugene Thach made the motion and Supervisor Jimmy James seconded the motion to adopt the resolution and accept the bid from First Tennessee Capital Markets at an interest rate of 5.206998% subject to verification of the bid tabulation. The **motion passed** by a unanimous vote. ****See Exhibit C****

ITEM D, CONTINUED,

D. OLD BUSINESS

1. Central Maintenance - Request to Replace Trees

This item was presented during the Executive Session portion of the minutes.

2. Petition to Adopt Russell Cove

Supervisor Tommy Lewis asked Supervisor John Caldwell if he thought the Board should adopt Russell Cove. Supervisor Caldwell said that in the beginning when the county attempted the road, one resident of Russell Cove said it was a private road. Later, other residents wanted the county to maintain it and sent in a petition to adopt Russell Cove. Supervisor Caldwell said if it is approved, it should be contingent on the residents dedicating the right of way. Supervisor Jimmy James said he would be in favor of adopting Russell Cove if they donate the right of ways.

The Board Attorney Bill Austin said that the Board needed to instruct County Engineer Daniel Murphey or the Road Manager to get a description of the right of way. The Board of Supervisors agreed to hold this issue until a later date.

3. Road Bond Releases - Shelton

The Planning Commission brought this item before the Board of Supervisors as evidenced by the portion of the minutes submitted by the Planning Commission.
****See Exhibit D.3****

4. Apple Creek North

The Planning Commission brought this item before the Board of Supervisors as evidenced by the portion of the minutes submitted by the Planning Commission.
****See Exhibit D.4****

E. NEW BUSINESS

1. Approval to Relocate Genealogy

Vanessa Lynchard notified the Board of Supervisors that when the Courthouse is renovated, Genealogy has to be moved. She said Jim Bearden said they could move to GIS until the museum area is ready. Supervisor John Caldwell asked if the Board had already authorized the County Administrator to handle moving arrangements. Vanessa said that after the Courthouse is renovated, Genealogy will be back in the Courthouse. Supervisor John Caldwell made a motion and Supervisor Tommy Lewis seconded the motion to authorize the County Administrator to take care of all county departmental moving arrangements. The **motion passed** by a unanimous vote.

2. Sheriff's Employee Report

Supervisor Eugene Thach made the motion and Supervisor John Caldwell seconded the motion to accept the Sheriff's Department Employee Report for the months of August 2, 1999 through September 20, 1999 into the minutes. The **motion passed** by a unanimous vote. ****See Exhibit E.2****

ITEM E.3, CONTINUED,

3. Budget Amendments for Administration Building

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a. Furniture in Tax Assessor's Office

Vanessa Lynchard notified the Board of Supervisors that a few months ago when the furniture bids were done, the Tax Assessor's Office asked to use one desk that they already have and purchase one more to match the existing desk. This would also prevent the County purchasing two workstations at a higher price. Supervisor John Caldwell asked if the Board had to do a budget amendment on this issue. Supervisor Eugene Thach made a motion and Supervisor Jimmy James seconded the motion to authorize the purchase of one desk in the Tax Assessor's Office to come out of the Administration Building office budget at an estimated cost of \$2,104.00. The **motion passed** by a unanimous vote. ****See Exhibit E.3****

4. Christmas Holidays

Vanessa Lynchard notified the Board of Supervisors that Road Manager Kenny Gunn requested the dates of the Christmas holidays so that he could schedule his Christmas luncheon. Supervisor Eugene Thach said that the Board waits for the State to declare holidays. Supervisor Thach further said that according to the schedule, if a holiday falls on a Saturday, the holiday taken on the preceding Friday, and if the holiday falls on Sunday, the following Monday is taken. Supervisor Medlin said he thinks the holiday will be taken on that Friday but that the Board had to wait until the State declares its holidays. The Board of Supervisors agreed that the decision will be left up to the State.

5. Request to use Courthouse

Vanessa Lynchard presented a letter from Hernando Main Street/Chamber of Commerce requesting the use of the Courthouse for their 24th Annual Christmas Open House on November 7, 1999 from 1:00 p.m. until 5:00 p.m. Supervisor John Caldwell made the motion and Supervisor Tommy Lewis seconded the motion to authorize Hernando Main Street/Chamber of Commerce to use the Courthouse on November 7, 1999 from 1:00 p.m. until 5:00 p.m. The **motion passed** by a unanimous vote. ****See Exhibit E.5****

6. Census Update - Forbes Johnson

At the request of Forbes Johnson, this item was held over until October 25, 1999.

7. Approval of Audit for the Home Project

Vanessa Lynchard presented the Board of Supervisors with the results of the FY97 audit of HOME Project M92-SG-28-0900. Supervisor Tommy Lewis made the motion and Supervisor Jimmy James seconded the motion to authorize the Board President to sign the audit report and to make the FY97 audit report of HOME Project M92-SG-28-0900 a part of the minutes. The **motion passed** by a unanimous vote. ****See Exhibit E.7****

8. Approval of the Final Budget Amendment for FY99

Vanessa Lynchard notified the Board of Supervisors that Comptroller Dale Thompson needed approval to make the final budget amendment for FY99. Vanessa said that Dale Thompson will provide the numbers at a later date and that the budget amendment is to authorize funds from FY99 to be carried over to FY00.

ITEM E.8, CONTINUED,

BE IT ORDERED:

That on the 7th day of September 1999, this Board of Supervisors did adopt a County Budget

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prepared under the provisions of Section 19-11-11, Mississippi Code of 1972, for the Fiscal Year beginning October 1, 1999, and ending September 30, 2000. That this date, Dale Thompson, Comptroller, requested that the Board of Supervisors approve and adopt the budget as finally determined, and enter the same at length and in detail in its official minutes, and in accordance, a motion was made by Supervisor Jimmy James and seconded by Supervisor Tommy Lewis to approve the Final Budget Amendment for FY99. The **motion passed** by a unanimous vote.

****See Exhibit E.8****

9. Making Final Approval for Tax Exemption for AFCO Part of the Minutes

Vanessa Lynchard presented the approval for the tax exemption for AFCO by the State Tax Commission to the Board of Supervisors for final approval. She said that this one was not presented earlier because it was incomplete. Supervisor John Caldwell made the motion and Supervisor Tommy Lewis seconded the motion to approve a ten (10) year tax exemption for AFCO Industries, Inc. on real property in the amount of \$ 5,052.00 and a five (5) year tax exemption for AFCO Industries, Inc. on personal property in the amount of \$ 774,202.00 as approved by the State Tax Commission and approved a final order approving the exemption. The **motion passed** by a unanimous vote. ****See Exhibit E.9****

10. Audit Responses FY98 - CDBG Project #6-090-PF-01

Vanessa Lynchard notified the Board of Supervisors that the Audit Response for FY98 for CDBG Project Number 6-090-PF-01 is complete and in compliance with the Single Audit Act Amendments of 1996 and the Office of Management and Budget, Circular A-133. Supervisor John Caldwell made the motion and Supervisor Tommy Lewis seconded the motion to accept the FY98 Audit response for CDBG Project Number 6-909-PF-01 as a part of the minutes. The **motion passed** by a unanimous vote. ****See Exhibit E.10****

11. School Bus Turnarounds

Vanessa Lynchard presented a letter to the Board of Supervisors from DeSoto County Schools Superintendent Jerry Baird requesting that the county maintain the school bus turnarounds for the 1999-00 school year. The addresses for the turnarounds are as follows:

Jeanne Mason, 14754 Holly Springs Road, Byhalia, Bus #159
Faye Ferrell, 5605 Davis Lane, Hernando, Bus #113
Frances Perry, 3479 Star Landing West, Nesbit, Bus #68
Rhonda Pierce, 9860 Bethel Road, Olive Branch, Bus #48
Tammy Kearns, 5758 Cherokee Drive, Walls, Bus #44

In accordance with Section 19-3-42, Mississippi Code of 1972 as amended, stating that the school bus turnarounds will be built, maintained and improved, Supervisor John Caldwell made the motion and Supervisor Tommy Lewis seconded the motion to maintain and improve the properties listed in the Superintendent's letter dated October 8, 1999 as school bus turnarounds for the 1999-00 school year, and to direct the County Road Manager to carry out this order of

ITEM E.11, CONTINUED,

the Board forthwith. The **motion passed** by a unanimous vote. ****See Exhibit E.11****

12. Transferring Funds from the Land Redemption Account to General Fund

Chancery Clerk Sluggo Davis notified the Board of Supervisors that the Land Redemption account has \$75.70 more in it than it is supposed to and that there are two warrants that have expired. Sluggo said that the Auditor Kelly Mcghee said to get a Board order to authorize the Chancery Clerk to write a check totaling \$213.07 from the Land Redemption account to be deposited into the General Fund for the \$75.70 in excess funds and the two expired warrants. Supervisor John Caldwell made the motion and Supervisor Jimmy James seconded the motion to authorize the Chancery Clerk to write a check from the Land Redemption account to be deposited in the General Fund totaling \$213.07. The **motion passed** by a unanimous vote.

****See Exhibit E.12****

F. EXECUTIVE

The “Executive Session” portion of this meeting is presented under the portion of minutes called “Executive Session.

G. OTHER ISSUES

1. Chancery Clerk Collection Fee

Chancery Clerk Sluggo Davis notified the Board that the Chancery Clerk is authorized to receive \$750.00 per month to collect city taxes beginning in the 1999-2000 budget. Sluggo said that the Auditor said to get a Board Order to approve payment of \$750.00 per month to the Chancery Clerk and to include it on the monthly payroll. Supervisor Jimmy James made a motion and Supervisor Tommy Lewis seconded the motion to approve payment of \$750.00 per month to the Chancery Clerk for collection of city taxes and to include it in the monthly payroll. The **motion passed** by a unanimous vote.

2. Countywide Wastewater

Supervisor Tommy Lewis informed the Board of Supervisors that he had talked to Joe Waggoner regarding the \$10 million for the sewer study. Supervisor Lewis said there will be a meeting at the Corps of Engineers office in Memphis, TN on November 3, 1999 at 2:00 p.m to discuss the sewer program.

Supervisor Eugene Thach asked when the Board of Supervisors should appoint the commission.

Supervisor Eugene Thach made a motion and Supervisor John Caldwell seconded the motion to authorize the Board Attorney to prepare a resolution to allow the Board of Supervisors to appoint and establish a commission on the sewer study. The **motion passed** by a unanimous vote.

3. Drainage

Supervisor Tommy Lewis requested that a letter be sent to the Association of Supervisors to see if other counties have the same drainage problems and if so, what they are doing to correct the problems. Supervisor Tommy Lewis made the motion and Supervisor John Caldwell seconded the motion to authorize the County Administrator to send a letter to the Association of Supervisors requesting information from other counties about drainage issues. The **motion passed** by a unanimous vote.

ITEM G.4, CONTINUED,

4. Personnel Salaries

Supervisor Eugene Thach requested that the County Administrator look into a system of rewarding county employees with raises based on seniority.

5. Department of Environmental Quality

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Planning Commission Director Merritt Powell informed the Board of Supervisor about a meeting at Southaven City Hall on November 19, 1999 at 8:30 a.m. regarding the Department of Environmental Quality to address issues such as drainage and erosion. Supervisor Jessie Medlin suggested that Supervisor Tommy Lewis attend the meeting as the Board of Supervisor's representative.

6. Pleasant Hill Farms

Chancery Clerk Sluggo Davis notified the Board of Supervisors that he received a bill in the form of a letter from Pleasant Hill Farms requesting compensation from the county for damaging 3 acres of soy beans when working on the right of way on College Road, east of Pleasant Hill Road or west of Getwell. Supervisor Jimmy James made a motion and Supervisor Eugene Thach seconded the motion to hire the Austin Law Firm to investigate this matter and report back to the Board. The **motion passed** by a unanimous vote.

7. Bill Bayne

Bill Bayne of the *Commercial Appeal* asked the Board of Supervisor if Forbes Johnson will be invited back at the next meeting to discuss the Census Update. The Board informed Mr. Bayne that he would be invited back.

Supervisor Eugene Thach made the motion and Supervisor John Caldwell seconded the motion to recess until October 25, 1999 at 9:00 a.m. The **motion passed** by a unanimous vote.

THIS the 13th day of October, 1999, these minutes have been read and approved by the DeSoto County Board of Supervisors.

Jessie L. Medlin, President
DeSoto County Board of Supervisors